



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/195,852	11/19/98	HANDEL	S AC980009

LM02/0218
L. KEITH STEPHENS
HICKMAN, STEPHENS & COLEMAN, LLP
P.O. BOX 52037
PALO ALTO CA 94303-0746

EXAMINER

KHONG, T

ART UNIT

PAPER NUMBER

2777

DATE MAILED:

02/18/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/195,852

Applicant
Handel et al.

Examiner
Tri H. Khong

Group Art Unit
2777



☒ Responsive to communication(s) filed on Nov 11, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-19 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-19 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 5, 7, 15 and 17 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification or in pictures.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 1, 3, 9, 10, 11, 13 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by LeMole et al.(US 6009410) [hereinafter LeMole].

With respect to claim 1, LeMole discloses a method for creating a user network interface (Figures 1 and 2) comprising the steps of:

Art Unit:

- a) obtaining user profile information (Figure 1);
- b) storing the user profile information in a database (“user profile database”, column 5, line 27);
- c) providing access to the database from an Internet enable device (Figure 1)

With respect to claim 3, LeMole discloses the step of responding to requests for information from an Internet enabled device with appropriate information based on the user profile information (“The received request is passed by HTTP server to CAR server, which accesses an associated and cooperatively connected database.....database stores an electronic profile for each registered user. Such a profile indicates subjects areas of interest of each user.” column 4, line 23-35);

With respect to claim 9, Figure 1 of LeMole discloses that any device (101, 116) that can access the public Internet (103) is able to request information from the profile database. It implies that the Internet enabled devices comprises: gas meter, electricity meter, telephone, television, computer, smart card, pocket organizer, personal digital assistant, vehicle, kitchen appliances, lights, security system and home monitor.

Claim 10 is substantially like method claim 1 except that the apparatus comprising a processor and a memory storing information under control of the processor. Figure 1 of LeMole

Art Unit:

discloses a Customized Advertising Repository server for processing and storing information. It implies that LeMole's apparatus comprising a processor and a memory for storing information under the control of the processor.

Claim 11 is substantially like method claim 1. It is analyzed as previously discussed with regard to claim 1.

Claim 13 is substantially like method claim 3. It is analyzed as previously discussed with regard to claim 3.

Claim 19 is substantially like method claim 9. It is analyzed as previously discussed with regard to claim 9.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 4, 6-8, 12, 14 -18 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeMole as applied to claim 1 above, and further in view of Herz et al.

Art Unit:

With respect to claim 2, LeMole does not disclose the step of securing the user profile information. However, Figure 10 of Herz discloses a log in step to prevent access by an unauthorized Internet enabled device. It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of LeMole to include a step of entering userid and password, as per teachings of Herz, to have a step of securing the user profile information against access by an unauthorized Internet enable device, because LeMole already suggests a method for creating a user network interface.

With respect to claim 4, LeMole does not disclose the step of updating the user profile. However, Herz discloses a step of updating a profile ("This information is then used to update the user target profile interest summary", column 7, column 11-46). It would have been obvious to a person having ordinary skill in the art at the time of the invention to add to LeMole's method to have a step of updating the user profile information based on information supplied by the Internet enable device, as per teachings Herz, because Herz especially suggests a step of updating a profile information based on another information.

With respect to claim 6, LeMole does not disclose the step of rules indicative of information usage. However, Herz discloses a system which restrict access by third parties to server database of user-specific information (column 45, line 48-67). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to add to

Art Unit:

LeMole's method to include a step of restricting access as per teachings of Herz so that the system can have a step storing rules indicative of information usage in the user profile information.

With respect to claim 7, LeMole does not disclose shared lists of user profile information. However, Herz discloses target objects or those profiles which have something in common (see Solution section). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to add to LeMole's method target objects as per teachings of Herz so that the system can include shared lists of user profile information.

With respect to claim 8, LeMole does not disclose the profile information is grouped in an optimal manner. However, Herz discloses a system which has ability to measure the similarity of profiles and group them closely related groups. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to add to LeMole's method a system which can group user profile information into related groups as per teaching of Herz so that the profile information is grouped in an optimal manner for target application.

Claim 12 is substantially like method claim 2. It is analyzed as previously discussed with regard to claim 2.

Art Unit:

Claim 14 is substantially like method claim 4. It is analyzed as previously discussed with regard to claim 4.

Claim 16 is substantially like method claim 6. It is analyzed as previously discussed with regard to claim 6.

Claim 17 is substantially like method claim 7. It is analyzed as previously discussed with regard to claim 7.

Claim 18 is substantially like method claim 8. It is analyzed as previously discussed with regard to claim 8.

7. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeMole as applied to claim 1 above, and further in view of Hobbs (US 5987454).

With respect to claim 5, LeMole does not disclose the step of updating the current application based on a changed in the user profile information. However, Hobbs discloses a system which implicitly updates the current application based on user profile information ("dynamically update web pages containing text, audio, graphics, and/or video data", column 9, line 13-21). Therefore, it would have been obvious to a person having ordinary skill in the art at

Art Unit:

the time of the invention to add to LeMole's method a step of updating an application, as per teachings of Hobbs, to have a method for creating a user network interface including the step of updating the current application based on a changed in the user profile information.

Claim 15 is substantially like method claim 5. It is analyzed as previously discussed with regard to claim 5.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Khong whose telephone is (703)305-4727. The examiner can normally be reached on Monday through Thursday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anton Fetting can be reached on (703) 305-8449. The fax number for this Art Unit is (703) 305-9724.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Art Unit:

9. Any response to this action should be mailed to

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)



ANTON W. FETTING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700

Tri H. Khong

February 3, 2000